

REMARKS

In the November 17, 2003 Office Action, the Examiner noted that claims 1-18 were pending in the application and were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,233,571 to Egger et al. (Reference A). Claims 1-18 remain in the case. The Examiner's rejections are traversed below.

The Application

The present invention is directed a system and method for extracting information from documents referenced by another document, based on verbal expressions in the referring document.

The Prior Art: U.S. Patent 6,233,571 to Egger et al.

The Egger et al. patent is directed to a method and apparatus for indexing, searching and displaying data using a database that contains textual objects. The system determines the number of references made to other objects, the importance of each referenced object, degree of relatedness of a referenced object to a selected object, etc. (see column 5, lines 6-10). A "Proximity Indexing Application Program indexes the textual objects by determining how each full textual object ... relates to every other full textual object by using empirical data and statistical techniques" (column 4, lines 12-16). Each paragraph of the full textual objects is compared with other full textual objects and related contiguous paragraphs are clustered into sections. The resulting data is used by a Computer Search Program Data Represented by Matrices (CSPDM) to retrieve sections from the database. By organizing and classifying the textual objects in the database "before any given search commences ... the number of irrelevant textual objects that the CSPDM program retrieves" (column 4, lines 26-28) is significantly limited. A "Cases-In Subroutine" determines the number of times the selected object refers to each retrieved object and other characteristics of each object, including its importance, and degree of relatedness to the selected object" (column 5, lines 6-10). A "Pool-Importance Subroutine determines the degree of importance ... [by] whether a judicial opinion is a Supreme Court opinion or a District Court opinion" (column 5, lines 33-34). The operation of the Proximity Indexing Application Program is illustrated in Fig. 3A and described at column 16, lines 37-48. An Initial Extractor Subroutine represented by block 96 in Fig. 3B creates Opinion and Paragraph Citation Matrices and a Boolean Word Index as described in steps 1-12 from the last two lines of column 16 to column 17, line 32. An Opinion Pattern Subroutine 100 performs pattern analysis on the Opinion Citation Matrix "to create opinion pattern vectors for each pattern and for each pair of full

textual objects" (column 17, lines 40-42) by calculating total hits, the theoretical maximum number of hits, the actual maximum number of hits, the total number of hits (citations) per year, the derivative of the total change in hits per year, ratios of total hits to theoretical maximum and actual maximum, and a weighted number "calculated using the four raw data numbers, two ratios and one derivative calculated ... for each of the 18 patterns" (column 18, lines 7-9) where "empirical data or loading factors" are used in weighting the statistics.

Rejections under 35 U.S.C. §102(e)

In item 5 on pages 2-8 of the Office Action, claims 1-18 were rejected under 35 U.S.C. § 102(e) as anticipated by Egger et al. In rejecting claim 1, the Examiner cited blocks 78, 80, 84 and 88 in Fig. 3A and blocks 96 and 100 in Fig. 3B and all of Figs. 5A-5H; several portions of the Summary of the Invention section in columns 4 and 5; several portions of columns 16, 17 and 18 and a few lines in columns 28 and 29 regarding what is displayed. As described above, Egger et al. discloses a system that relies on statistical analysis to generate information in a database that is used to subsequently retrieve information.

In contrast to the statistical analysis performed in the method taught by Egger et al., claim 1 recites "identifying a category of a reason indicating why the referred document is cited in the referring document" (claim 1, lines 7-8). As noted above, this requires analysis of verbal expressions in the referring document. Nothing was cited or has been found in Egger et al. of analyzing the content of documents, other than determining whether an opinion was written by the Supreme Court or a District Court. This determination has nothing to do with "why" (claim 1, line 7) a document is cited in another document. All of the other analysis performed in the method taught by Egger et al. is numerical or statistical and does not provide "a reason indicating why".

For the above reasons, it is submitted that claim 1 and claims 2-3 which depend therefrom patentably distinguish over Egger et al. Furthermore, limitations similar to those quoted above in claim 1 have been added to the remaining independent claims. Therefore, it is submitted that claims 4, 5, 10 and 12-18, as well as claims 6-8 and 11 which depend therefrom, patentably distinguish over Egger et al.

Summary

It is submitted that Egger et al. does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-18 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.



Serial No. 09/594,029

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on MARCH 17, 2004

By: Michelle Bryant

Date: 3/17/04